



CITY OF YELLOWKNIFE

## MUNICIPAL SERVICES COMMITTEE AGENDA

**Monday, May 13, 2013 at 12:05 p.m.**

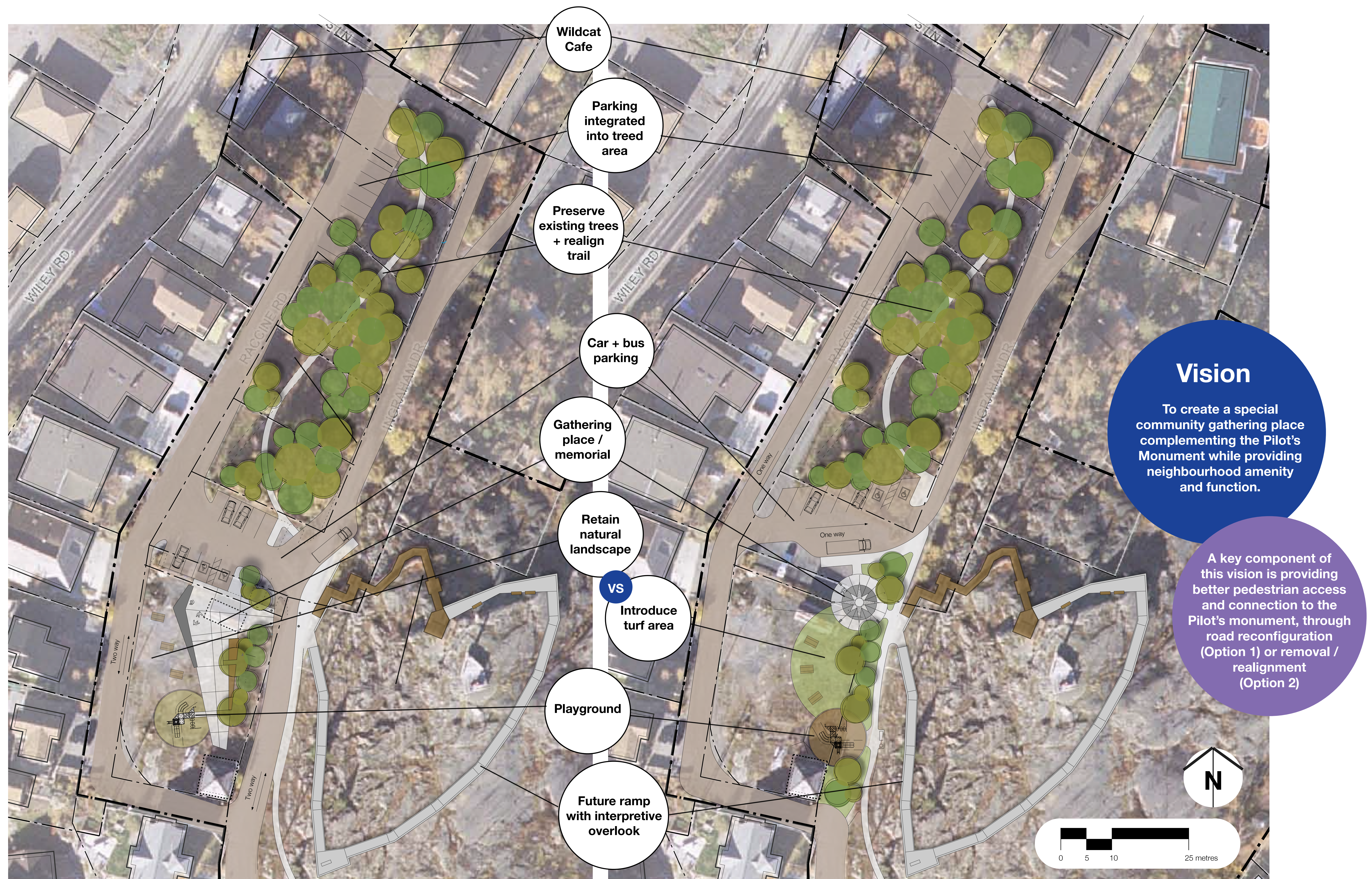
Chairman: Mayor M. Heyck,  
Councillor R. Alty,  
Councillor A. Bell,  
Councillor B. Brooks,  
Councillor L. Bussey,  
Councillor N. Konge,  
Councillor P. Son,  
Councillor C. Vanthuyne, and  
Councillor D. Wong.

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<b><u>Item</u></b>	<b><u>Description</u></b>
1.	Approval of the agenda.
2.	Disclosure of pecuniary interest and the general nature thereof.
ANNEX A	
3.	A discussion regarding proposed concepts for Pilot's Monument and Government Dock.
ANNEX B	
4.	A memorandum regarding whether to direct Administration to proceed with a public engagement strategy on secondary suites.
5.	A presentation regarding the 2014 Budget Outlook.
6.	A report from Mayor Heyck regarding weekly activities.
<b><u>IN CAMERA</u></b>	
ANNEX C	
7.	A land matter.
8.	A personnel matter.
9.	Business arising from In Camera Session.



# Pilot's Monument

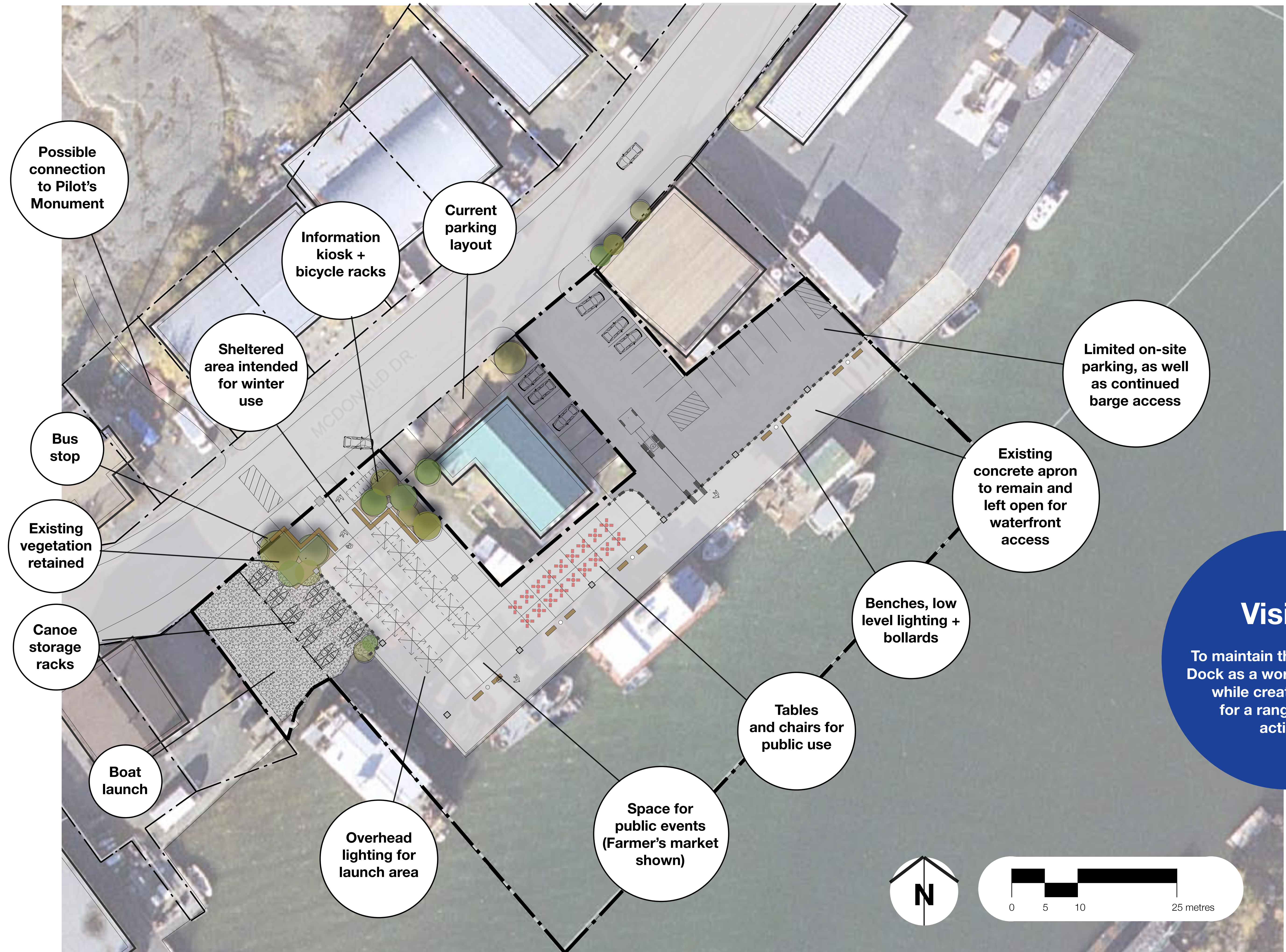


**Option 1** Retain current traffic pattern and parking area.  
Reconfigure road at stairs to calm traffic and create more space.

**Option 2** Introduce new traffic patterns and relocate existing parking area.  
Remove / realign to maximize connectivity and pedestrian access.



# Government Dock



**Vision**

To maintain the Government Dock as a working landscape while creating a space for a range of public activities.







## Playground Concepts

A key feature of the Pilot's Monument vision is a playground. Options include an aviation-themed structure, or a 'nature-based' playground.



## Site Furnishings

Site furnishings for Pilot's Monument should be practical and robust.



## Lighting

The Community Vision for Pilot's Monument gave site lighting a low priority. Instead, full cutoff fixtures to match those elsewhere in Yellowknife are proposed to replace existing streetlights.

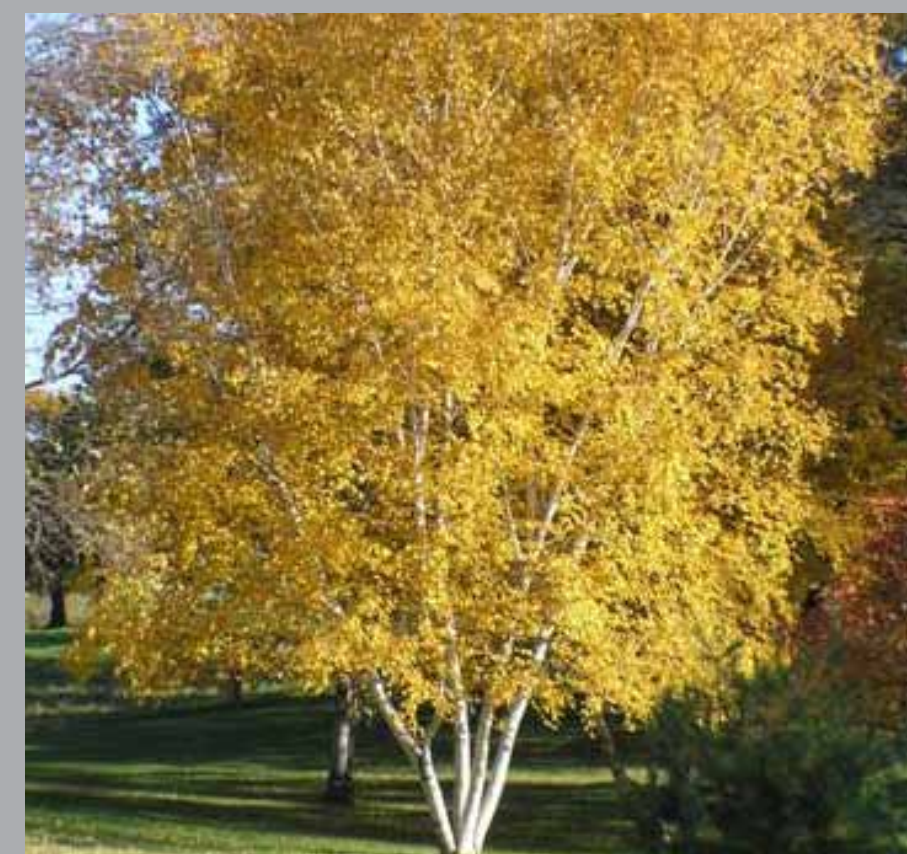


## Access Control

Bollards are an important element of the traffic calming concept on the site.

## Plant Materials

Maintaining and adding to the existing natural landscape of Pilot's Monument was a key community priority. Plant materials will be primarily native trees, shrubs and groundcovers.



## Signage

Effective regulatory and wayfinding signage is a critical component in open space development. At Pilot's Monument, there is also a special opportunity for interpretive signage to commemorate the history of the site.

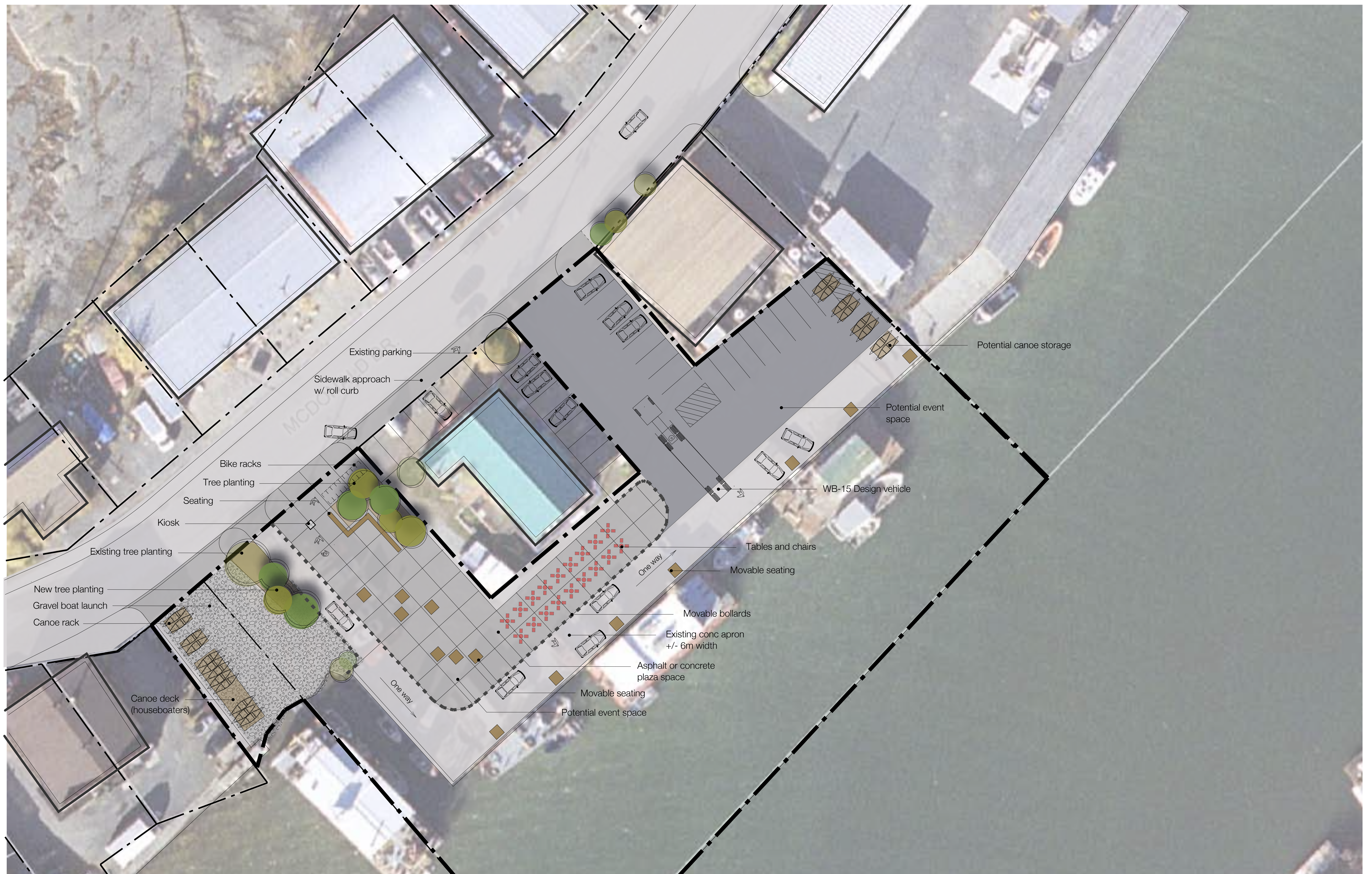


## Public Art

Public art opportunities at Pilot's Monument range from developing freestanding elements to integrating art into site furnishings.



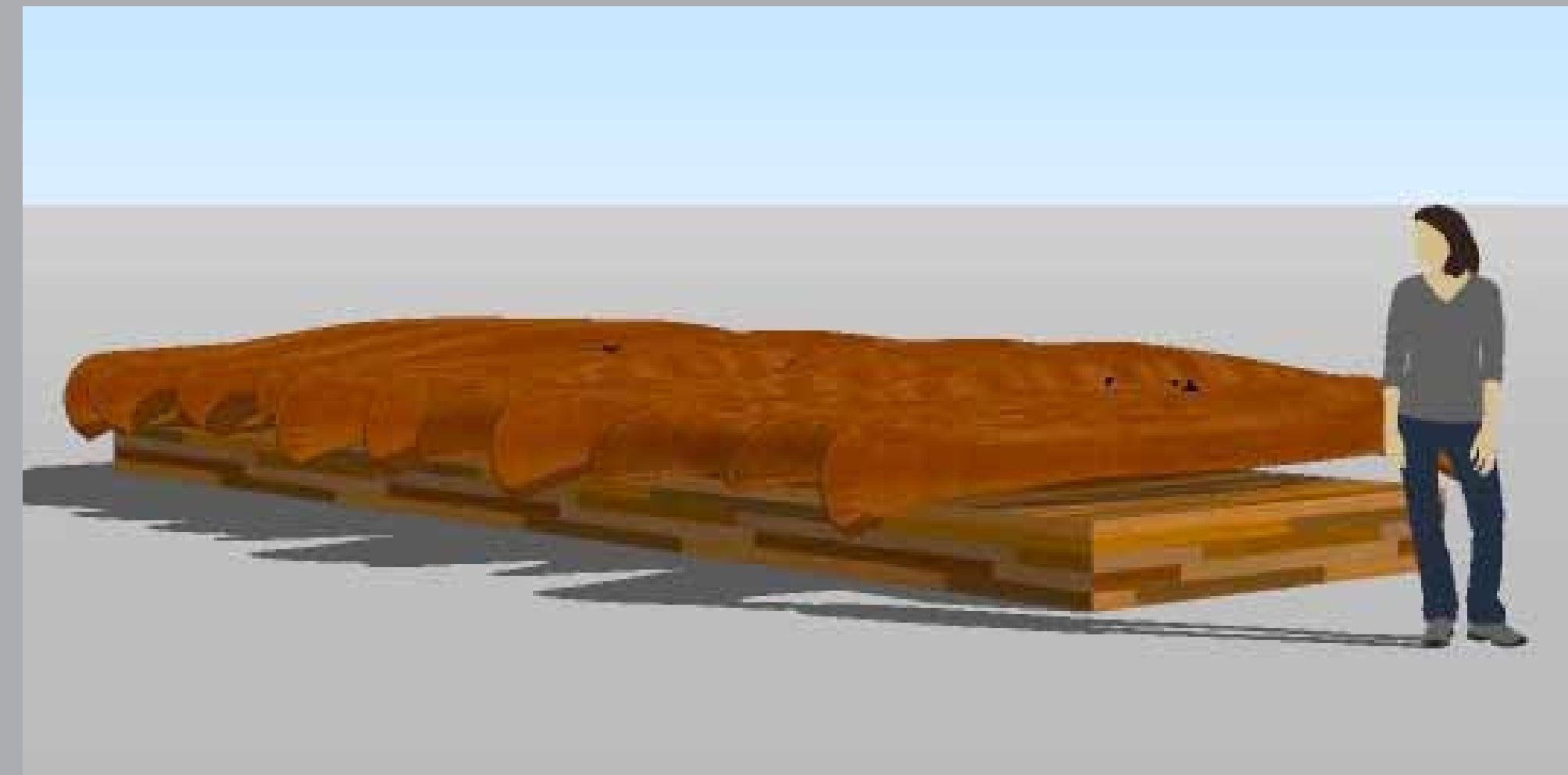






## Canoe Storage

Effective canoe storage was a key concern raised during the Visioning Process. To respond to recreational and commuting canoeists (eg. houseboaters), two types of storage are proposed.



## Site Furnishings

In addition to typical site furnishings, the Government Dock offers the potential for tables, as well as unique seating-including benches which can be rearranged to accommodate different uses of the space.



## Lighting

The Community Vision for the Government Dock gave site lighting a low priority. Instead, full cutoff fixtures to match those elsewhere in Yellowknife are proposed to replace existing streetlights.



## Access Control

Movable 'bell' bollards are being proposed for the Government Dock to address the changing access needs for vehicles within the space.

## Plant Materials

There is limited opportunity for the introduction of plant materials at the Government Dock. Where possible, native trees, shrubs and groundcovers will be used.



## Signage

Effective regulatory and wayfinding signage is a critical component in open space development. At the Government Dock, there is also an opportunity for interpretive signage to commemorate the history of the site.



## Public Art

Public art opportunities at the Government Dock range from developing freestanding elements to integrating art into site furnishings.





## INTEGRATED SITE MANAGEMENT PLAN: GOVERNMENT DOCK AND PILOT'S MONUMENT

Department	Issue	Response/Action Items
Planning and Development	Environmental Remediation of Government Dock	City received final Environmental Assessment Report on April 23, 2012. Report confirms that remediation completed to a sufficient level for public use of Dock and DFO to assume all liability for Dock area
	Commercial Fishing Vessels Use of Government Dock	Administration to work with commercial users of dock to establish agreement for access to Government dock space for commercial fishing vessels
Community Services	Special Events	<p>Reflective space at Pilot's Monument to be made available for memorials, funerals and other public events on as as-requested basis</p> <p>Special events at the Government Dock, such as a festival or weekly market, shall be held in coordination with City Officials to ensure public safety and proper site clean-up</p>
	Signage	<p>New signage will be developed in coordination with the Yellowknives Dene First Nation and other parties with an interest in historic use of site</p> <p>Potential to include Japanese signage at Pilot's Monument regarding Aurora Borealis</p>
	Recycling/Garbage Pick-up	City will provide standard bottles/can recycling receptacles and exposed aggregate 'Class B' garbage containers on both sites, to be emptied on a daily basis
	Monument Clean-up	Community Services to coordinate with Parks Canada to restore existing monument at top of Pilot's site
	Litter	Part-time summer student to be assigned to area for regular clean-up during busy season
	Toilet Facilities	The City will not maintain permanent toilet facilities; however, temporary facilities will be made available for special events



## INTEGRATED SITE MANAGEMENT PLAN: GOVERNMENT DOCK AND PILOT'S MONUMENT

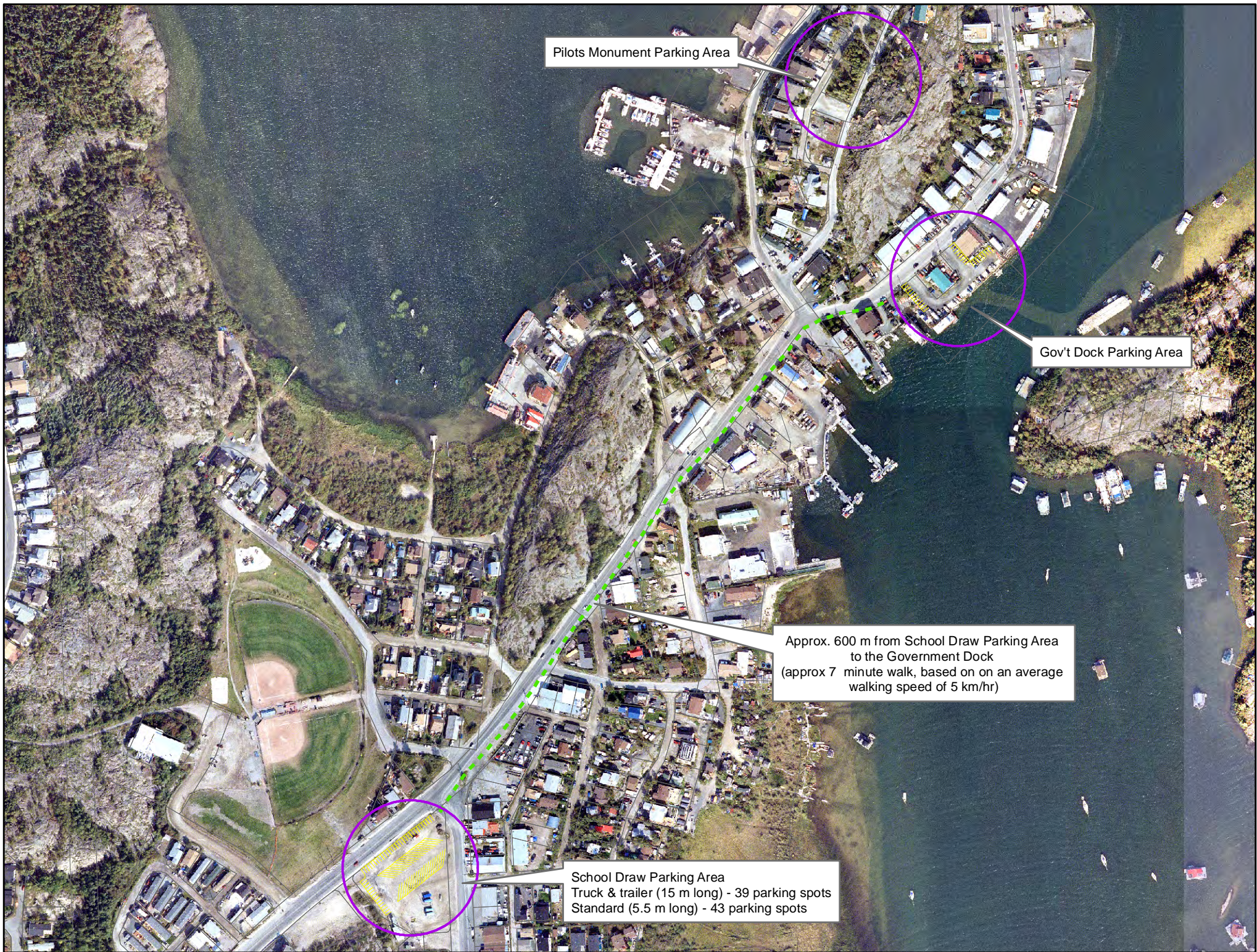
	Plantings	<p>New plantings to be exclusively native species requiring minimal upkeep using existing service lines; planting shall be purchased with a 2-3 year maintenance guarantee</p> <p>Administration to work with residents of Racine Road to ensure buffer plantings are appropriate and functional</p>
	Public Art	Community Services will put out call for proposals for functional public art for Government Dock site (e.g. bike racks) following the approval of a Public Art Policy
	Trail Connection	Trails to be timber-lined and surfaced with 3/8" crushed gravel
	Access to top of Pilot's Monument	Ramp to be constructed in phases based on approved budget; stairs will be maintained in good working order until ramp has been completed
Public Works	Lighting	<p>Power poles on Wiley Road to be replaced with bollard lighting for enhanced aurora viewing</p> <p>Bollard lighting to be used at the entrance of Government Dock</p>
	Drainage	<p>Asphalt paving is planned for Wiley Road and Racine Road during the 2013 construction season; Public Works to coordinate with Racine Road residents to ensure proper drainage of roadway</p> <p>Concerns about drainage on working area of Government Dock to be addressed prior to re-surfacing</p>
	Electrical Service	On the Government Dock, phase-3 power to available on site with plug-ins in order to support use of space for special events



## INTEGRATED SITE MANAGEMENT PLAN: GOVERNMENT DOCK AND PILOT'S MONUMENT

Public Safety  (Municipal Enforcement Division)	Canoe Storage	<p>Both platform and rack canoe storage offered on a first-come, first served basis for a cost \$200 per year</p> <p>Canoes without the appropriate tag shall be ticketed and removed</p>
	Parking	<p>No overnight parking on either Government Dock or Pilot's Monument</p> <p>Free parking will be available on Pilot's Monument to accommodate visitors and patrons of Wildcat Cafe</p> <p>Public parking on the Government Dock shall be metered with a 2 hour maximum to ensure regular flow of traffic</p> <p>A significant number of longer-term parking spaces are located at School Draw and Franklin Avenue</p>
	Loading	<p>Loading and unloading of recreational water vessels permitted as long as vehicle owners are in attendance</p> <p>Public parking will be subject to the loading requirements of commercial vessels to ensure continued working use of the Dock</p>





Pilots Monument Parking Area

Gov't Dock Parking Area

Approx. 600 m from School Draw Parking Area  
to the Government Dock  
(approx 7 minute walk, based on an average  
walking speed of 5 km/hr)

School Draw Parking Area  
Truck & trailer (15 m long) - 39 parking spots  
Standard (5.5 m long) - 43 parking spots





## CITY OF YELLOWKNIFE

### MEMORANDUM TO COMMITTEE

**COMMITTEE:** Municipal Services

**DATE:** May 13, 2013

**DEPARTMENT:** Planning and Development

**ISSUE:** Whether to direct Administration to proceed with public engagement on permitting of secondary suites and the fire suppression requirements of duplex units prior to presenting a by-law for First Reading.

#### RECOMMENDATION:

That Council direct Administration to proceed with public engagement on amending Zoning By-law No. 4404 and Building By-law No. 4469 to permit secondary suites and to re-evaluate the fire suppression requirements for duplex units.

#### BACKGROUND:

The City of Yellowknife (City) seeks to create more affordable housing and facilitate economic development by relaxing existing restrictions on the construction of In-Home Secondary Suites and permitting the development of Detached Secondary Suites in all zones where single detached and duplex dwellings are a permitted use. Secondary suites may be new constructions, retrofitted into an existing home or added onto an existing garage. Secondary suites cannot be fee simple titled as a separate property and are typically used by owners for rental income.

For permitting purposes, it is important that the Zoning By-law and Building By-law use consistent definitions and regulations for In-Home and Detached Secondary Suites. For purpose of clarification, an 'In-Home Secondary Suite' is defined herein as a separate dwelling unit located within the principal dwelling (See Figure 1). A 'Detached Secondary Suite' is a second dwelling unit located in a separate building from the principal residence as a stand-alone accessory structure (Figure 2) or located within or above a garage (Figures 3-4).



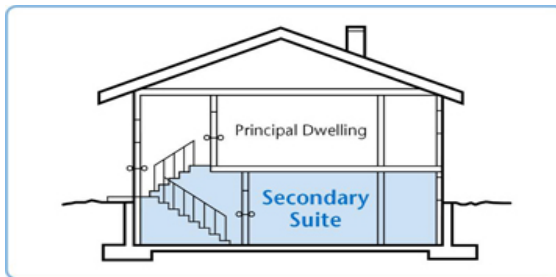


Figure 1: In-Home Suite

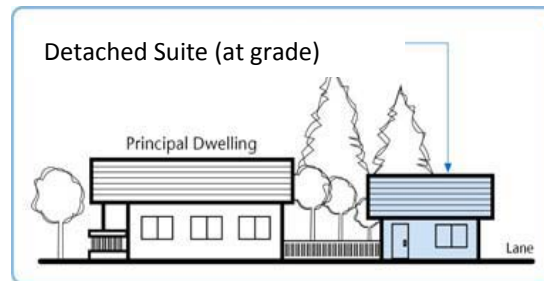


Figure 2: Detached Suite

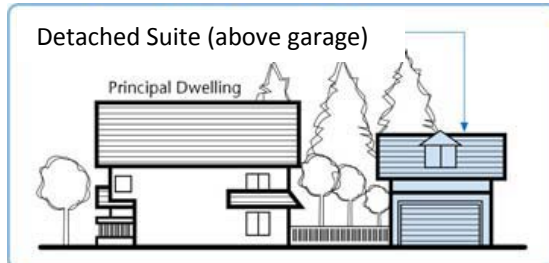


Figure 3: Detached Suite (In Garage, above Grade)

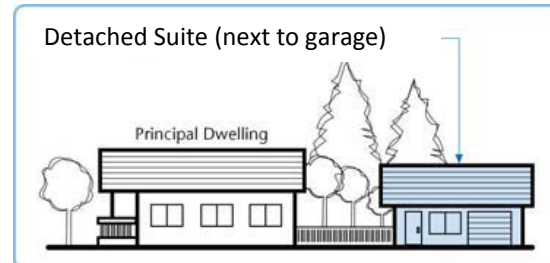


Figure 4: Detached Suite (In Garage, at Grade)

Benefits of permitting In-Home and Detached Secondary Suites include affordable housing, increased property values, economic stimulus, neighborhood revitalization, opportunity for seniors housing and efficient use of infrastructure. In municipalities with a high proportion of single detached housing, in-home and detached secondary suites are employed as a housing option benefitting both homeowners and renters. In some instances community concerns include perceived over-intensification of lots, servicing issues, neighbourhood character concerns, and parking.

Aligning the Zoning and Building By-laws is central to streamlining a process for approving secondary suites. The amendments considered for In-Home Secondary Suites are based on the definition from the National Building Code which restricts the floor area of all storeys of a secondary suite to be the lesser of 80% of the total floor area of all storeys of the other dwelling unit or 80 square metres (860.8ft<sup>2</sup>). Other issues contemplated in this memo relate to setbacks, building height, density, parking, design, servicing, and fire suppression. In terms of the latter, Administration also proposes to address fire suppression requirements for duplex units. In putting these issues before Council, Administration emphasizes that they will need to be more fully explored with the public and stakeholders prior to bringing forth formal recommendations back to Municipal Services Committee.

#### **COUNCIL POLICY / RESOLUTION OR GOAL:**

Council Goal	#1	Affordability.
Council Objective	1(b)	Review City land development policies.
Council Goal	#2	Enhancing Our Built Environment.
Council Objective	2.4	Promote a range of commercial, residential, and institutional development and revitalization opportunities.
Council Goal	#4	Continuous Improvement.
Council Objective	4.4	Be a leader in innovation.
Council Action	4(b)	Lead in Innovation and Best Practices.



## APPLICABLE LEGISLATION, BY-LAWS, STUDIES, PLANS:

1. *Cities, Towns and Villages Act*;
2. *NWT Planning Act*;
3. Zoning By-law No. 4044, as amended;
4. *National Building Code*;
5. Building By-law No. 4469, as amended;
6. Yellowknife Smart Growth Plan (2010);
7. Yellowknife General Plan (2011);
8. *Creating Housing Affordability* (2009); and
9. *Fire Experience, Smoke Alarms and Sprinklers in Canadian Houses* (2005).

## CONSIDERATIONS:

### Legislative

The City is granted the authority to control land uses pursuant to a Zoning By-law under Section 13 of the *NWT Planning Act*. An amendment to Zoning By-law No. 4404 requires formal Public Notice and a Public Hearing before Council in accordance with provisions of the *Cities, Towns and Villages Act*.

### Long Range Planning

Section 4.13 of the 2010 Yellowknife Smart Growth Implementation Plan identifies In-home and Detached Secondary Suites as one of the preferred options for alternative housing design. Secondary Suites support urban revitalization, reduce sprawl, decrease dependence on automobile use and promote a healthy rental market. Building additional suites on existing lots allows the community to increase density while maintaining neighbourhood character (i.e. hidden or invisible density). Section 3.4(5) of the 2011 Yellowknife General Plan (By-law No. 4656) recommended the adoption of expanded opportunities for secondary suites as a means of encouraging affordable and flexible housing options.

### Affordable Housing

Allowing for In-home and Detached Secondary Suites creates affordable housing options while assisting with the high cost of home ownership. The City of Yellowknife 2009 report *Creating Housing Affordability* (the Housing Report) strongly supported the City adopting a policy that would encourage the formalizing of existing suites and encourage the addition of new suites in existing and new housing. The Housing Report emphasized the urgency of the need for affordable housing.

### Comparative Information

Many municipal governments have recently relaxed regulations for both In-home and Detached Secondary Suites. In 2011 the City of Whitehorse Council voted to allow garden (detached) suites on the majority of single-family lots following public consultation. In 2007 the City of Victoria removed the parking requirement for in-home suites in new and existing homes, resulting in a significant increase in suite construction. Vancouver is also currently preparing to expand the areas where detached suites are permitted and recently relaxed building regulations. Edmonton has also recently updated their regulation for both In-home and Detached Secondary Suites. In terms of zoning, the amendments presented represent the more progressive development standards of municipalities which also face a housing affordability challenge.



It is noteworthy that municipalities throughout Canada follow different building codes and by-laws adopted in their province, territory, and municipality. Most typically a 45 minute fire separation between the In-Home Secondary Suite and the main dwelling and a 1 hour fire separation between units within a duplex. The contemplated amendments to the City's Building By-law represent a progressive approach that is balanced with Yellowknife's unique fire-fighting challenges as a northern community.

### Zoning By-law

Table 1 below summarizes the proposed zoning regulations considered by Administration for In-Home and Detached Secondary Suites.

<b>Table 1: Proposed Zoning By-law Regulations for In-Home and Detached Secondary Suites</b>	
Definition:	<p><i>In-Home Secondary Suite</i> means a separate dwelling unit located within a single detached dwelling or duplex.</p> <p><i>Detached Secondary Suite</i> means a secondary dwelling unit located in a separate building on a lot where the principal use is single detached housing or a duplex. May also be referenced as Laneway Housing, Garden Suite, or Garage Suite.</p>
Permitted Use:	In-Home and Detached Secondary Suites are permitted on all lots where the principal use is a single detached dwelling or duplex and the single detached dwelling or duplex is a permitted use.
Maximum per lot:	One (1) In-Home or Detached Secondary Suite is permitted on a property.
Floor Area:	The total floor area of all storeys of an In-Home or Detached Secondary Suite shall not be more than the lesser of (a) 80% of the total floor area of all storeys of the other dwelling unit or (b) 80 square metres (860.8 square feet). There is no minimum suite size provided it includes sleeping, cooking, bathroom and toilet facilities.
Maximum Height:	<p>In-Home Secondary Suites are subject to the existing zoning requirements for that zone.</p> <p>The maximum height for Detached Secondary Suites is 5 metres.</p>
Site Area:	An In-Home or Detached Secondary Suite approved on a property shall be included in the required site area per dwelling unit for the principle dwelling.
Setbacks:	<p>In-Home Secondary Suites are subject to the regulations applicable to the principal dwelling.</p> <p>Detached Secondary Suites shall be a minimum of 1 metre from all</p>



	property lines and a minimum of 1 metre from all existing and adjacent structures. Where a side entry is adjacent to a property line, a minimum of 2.4 metres is required.
Parking requirements:	A minimum of one parking space per dwelling unit on the property.
Site Coverage:	A 10% increase to the site coverage of the zone where the In-Home or Detached Secondary Suite resides is permitted.
Design Standards:	Design standards of the zone where the In-Home or Detached Secondary Suite resides shall apply. Additional standards include: <ul style="list-style-type: none"> <li>• In-Home Secondary Suites shall maintain the external appearance and residential character of a single detached dwelling, to the satisfaction of the Development Officer;</li> <li>• The Detached Suite shall be subordinate in size and complement the principal dwelling; and</li> <li>• The scale and form of neighbouring properties shall be respected.</li> </ul>
Street access:	Detached Secondary Suites shall provide an unimpeded pedestrian access to a street frontage with a minimum width of 1 metre.
Siting:	Detached secondary suites are not permitted in the front yard unless the proposed structure meets the conditions of Zoning By-law No. 4404, as amended, Section 7.2.5(g).*
Ownership:	In-Home or Detached Secondary suites may not be subdivided and sold in fee simple title as a separate property.
Servicing:	The siting of an In-Home or Detached Suite shall not justify opting out of the City's Water/Sewer protection program. All servicing plans require approvals from Planning and Lands and Public Works Divisions.
Additional regulations:	All other relevant regulations of the zone in which the In-Home or Detached Secondary Suite resides shall apply.

\*The permission of garages or structures in front yard pursuant to section 7.2.5(g) is conditioned upon a number of site factors including irregular lot lines, physical limitations, impact on neighbourhood, and a basic retention of natural features.

#### National Building Code and City of Yellowknife Building By-law 4469

The National Building Code defines a secondary suite as a self-contained dwelling unit with a prescribed floor area located in a building or portion of a building of only residential occupancy that contains only one other dwelling unit and common spaces, and where both dwelling units constitute a single real estate entity (NBC Section 1.4.1.2.). The Code also addresses several other safety



regulations such as fire separation, smoke tightness, sound transmission, central vacuum systems, fuel fired appliances, smoke and carbon monoxide alarms, and heating distribution systems.

The City's Building By-law presently requires a 45 minute fire separation AND sprinkler system installation for the entire building. While sprinkler systems produce a fire safety improvement, the costs is higher than for other safety measures (i.e. Smoke Alarms and Sprinklers in Canadian Houses: CMHC Research, 2005) ranging from \$8,000 to \$15,000. The high cost often deters people from obtaining the necessary permits resulting in a high percentage of illegal suites with significant fire risk.

The Yellowknife Fire Division operates as a stand-alone emergency response for fires, medical emergencies, rescues of many different facets, and hazardous materials within the City of Yellowknife. In terms of fire-fighting the Division often encounters challenges relating to weather, resources and response time, accessibility, and areas of town which only have trucked water delivery. Based on the above, Administration is looking for a higher than minimum standard (National Building Code) fire suppression, recommending 1.5 hour fire separation or a sprinkler system installation. For consistency Administration is also recommending the same standard for duplex units. It is noted this provides significantly greater flexibility to the development community as it is less than the current local standard that all secondary suites and duplexes must have a sprinkler system.

The main Building Code difference in providing the 1.5 hour versus 1 hour fire separation is one additional layer of Type X (5/8") gypsum board installed on each side of a wall and ceiling and 1 additional layer of subfloor which is significantly less than the installation of a residential sprinkler system.

#### Servicing

Secondary suites typically access the same utility services available to the principal dwelling. It is currently envisioned that in serviced areas, detached suites will be connected to City water and sewer through the principal structure. If the principal structure is serviced from the laneway, the detached suite may not be constructed over the water/sewer main. Pursuant to the Service Failure Assistance By-law No. 3607 Administration needs to determine appropriate requirement amendments for Detached Secondary Suites pertaining to the Water/Sewer Services Protection Program. Other servicing items relating to freeze protection, water metring and circulation pumps for piped services will also be addressed in by-law amendments. In residential areas reliant on trucked water, detached suites may require separate water tanks and sewage pump-out and provide adequate access for service trucks. The service plan for all in-home and detached suites will require Public Works approval to obtain a Development Permit and there may be situations where site factors prevent servicing and the permission of an additional secondary suite. Administration intends to present a range of potential scenarios during the public engagement process prior to any By-law amendments.

#### Public Safety

In-home suites must have direct access to the outdoors and at least one window for emergency escape during a fire. Detached Secondary Suites must be sited as to allow for the required unimpeded emergency access. Emergency access to these suites must be approved by the Department of Public Safety to obtain a Development Permit.



### Property Assessment

The construction of a secondary suite increases the value of a property and impacts property taxes. The municipal property assessor will be advised of all approved Development Permits for new In-Home and Detached Secondary Suites so that he is able to adjust the property assessment accordingly.

### Municipal Addressing

Currently, subordinate dwellings located within a single detached home use a standard suite address (e.g. 150-B Fresh Street, where the main house is 150-A Fresh Street). In the majority of cases, the same practice would apply to detached suites.

### Garbage Pick-Up

All lots with legal secondary suites should obtain a dual utility account, which makes them eligible for the two-bag of garbage per dwelling limit allowed to each residential unit (e.g. a single detached dwelling with a Secondary Suite would have a four-bag per week limit). Bags in excess of the prescribed limit shall pay for additional garbage bag tags.

### Public Consultation

The experience of other municipalities has shown that public communication is central to the successful introduction of In-Home and Detached Secondary Suites. Administration proposes to undertake public consultation consistent with the “Consult” level of engagement as outlined in the International Association of Public Participation (IAP2) Spectrum of Public Participation (see Attachment #2 for the full Spectrum of Public Participation). This engagement strategy will include meetings with key stakeholders (i.e. NWT Construction Association, CMHC, GNWT Departments) as well as consultation with the General Public via a series of Open Houses and on-line feedback.

Consultation will ensure that stakeholder interests and community concerns and questions about the proposed changes are addressed before moving forward. Administration is committed to working directly with the public throughout the process to ensure that public concerns and aspirations are understood and considered. Administration is open to input from Council on providing one or two rounds of public consultation. Figure 5 below illustrates the proposed Public Engagement Strategy and timeline for by-law amendments which address In-Home and Detached Secondary Suites as well as fire suppression for duplex units. It is assumed the schedule below will take between 3 to 6 months to complete.

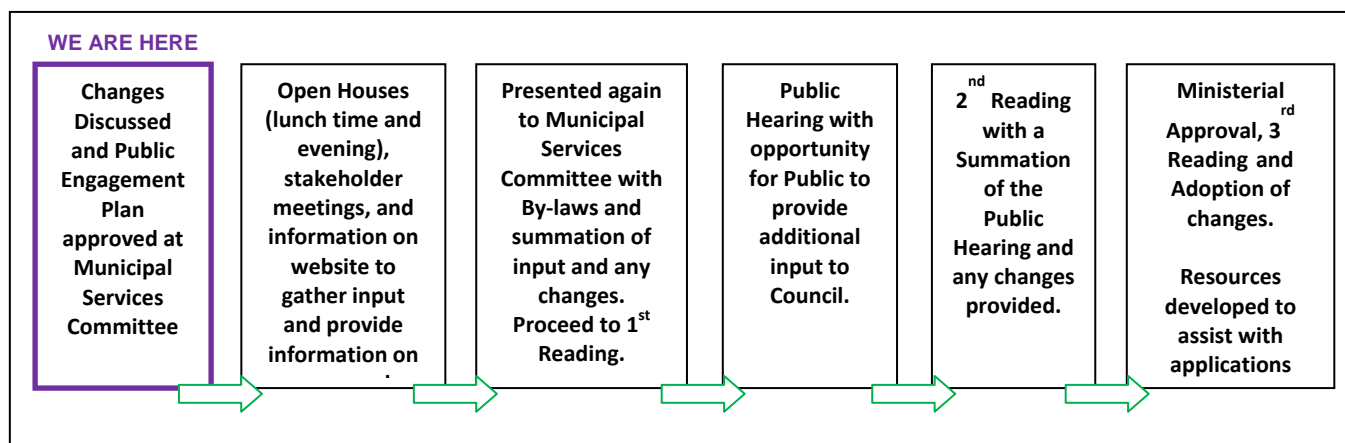


Figure 5: Public Engagement Strategy for In-Home and Detached Secondary Suites



**ALTERNATIVES TO RECOMMENDATION:**

That Council direct Administration not to proceed at this time with the Public Engagement Plan for amending the Zoning and Building By-laws to permit secondary suites and address fire suppression of duplex dwellings.

**RATIONALE:**

In-Home and Detached Secondary Suites increase the diversity of rental stock, support housing affordability, add character to neighbourhoods and stimulate the local economy. The proposed changes benefit homeowners and renters with limited impact on existing neighbourhoods. Improvements to the Building By-law provide more options for fire-prevention in In-Home Suites, which may encourage those with existing illegal suites to obtain permits.

**ATTACHMENTS:**

IAP2 Spectrum of Public Participation (DOCS# 355872).

Prepared: March 8; KK and CF

Revised: May 2; DN and DL

Revised: May 9, JH



# IAP2 SPECTRUM OF PUBLIC PARTICIPATION

INCREASING LEVEL OF PUBLIC IMPACT 

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
<b>PUBLIC PARTICIPATION GOAL</b>	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
<b>PROMISE TO THE PUBLIC</b>	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
<b>EXAMPLE TECHNIQUES</b>	<ul style="list-style-type: none"> <li>• Fact sheets</li> <li>• Web sites</li> <li>• Open houses</li> </ul>	<ul style="list-style-type: none"> <li>• Public comment</li> <li>• Focus groups</li> <li>• Surveys</li> <li>• Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Deliberative polling</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen advisory committees</li> <li>• Consensus-building</li> <li>• Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• Citizen juries</li> <li>• Ballots</li> <li>• Delegated decision</li> </ul>